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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

FROM : J. S. Peelman

SUBJECT: MURKIN (44-38861)
WALSHOT (44-52576)

1 - Mr. Adams
1 - Mr. Callahan

DATE: 10/2/75

1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Peelman
1 - Mr. McDonough
1 - Mr. Mintz
1 - Mr. Moore
1 - Mr. Cochran

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With respect to information which could be the subject of discussion between Dan Rather and the Director concerning assassinations, the attached material is being submitted regarding the murder of Martin Luther King, Jr. (MURKIN) and the shooting of Governor George Wallace (WALSHOT).

MURKIN: Our jurisdiction in this case was based on Title 18, Section 241, U. S. Code, conspiracy to violate the civil rights of Martin Luther King, Jr., namely the right to travel interstate (King travelled to Memphis to engage in a demonstration scheduled for 4/8/68). He was killed 4/4/68.

James Earl Ray has an appeal pending before the 6th U. S. Circuit Court of Appeals on his guilty plea in state court for which he was sentenced to 99 years in prison. Ray in his appeal is claiming conflict of interest on part of his original attorneys resulting in inadequate representation. We have taken the position in this case from the outset that we could not discuss any details of the investigation until all judicial action has been completed.

It is noted that in a letter dated 7/23/75 to Mr. Ernest S. Leiser of CBS news, we advised him "in view of the appeal that is pending in this case, as well as the fact that a Federal civil rights charge remains outstanding against James Earl Ray, it will not be possible for us to furnish details of our investigation of the assassination of Dr. King." Birmingham Office has advised court records show the Federal process was dismissed 12/2/71 because the Department did not reply to motion for dismissal by Ray's attorney. Department did not advise us of the dismissal; however, they may not have been notified by U. S. Magistrate of final dismissal since dismissal was automatic after 10 days of filing of motion if no reply made. Mr. Leiser has been advised orally of dismissal which is being confirmed in writing.

Enclosures
EJM:bap (8)

CONTINUED - OVER

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Memorandum to Mr. Gallagher
RE: MURKIN --WALSHOT

Mr. Rather may bring up the recent comments by Atlanta, Georgia, Public Safety Commissioner Reginald Eaves to the effect that based on information from Robert Byron Watson, additional investigation should be conducted in the King case. We had received the same information from Watson in 1971, and during interview at that time, he admitted it was entirely fabricated. The original information and current information pertaining to Watson, as well as results of recent Atlanta Police Department investigation of Watson's information, which developed no substantiation, has all been furnished to the Civil Rights Division of the Department and no further investigation has been requested. It is not felt the Director should comment on this other than to state that all of the information has been furnished to the Civil Rights Division for consideration.

Of additional interest is the fact that CBS filed a petition in state criminal court on 9/19/75, requesting that the firearms evidence in the MURKIN case be examined by an expert retained by them. On 9/26/75, the court denied the motion because judicial proceedings are still pending.

WALSHOT: In this case, Arthur Herman Bremer was convicted in state court of this assault and sentenced to 53 years imprisonment. His appeal went through state courts to the U. S. Supreme Court which refused to review his state conviction. Federal Civil Rights charges were then dismissed.

In response to inquiries, we have replied that FBI investigation of this matter disclosed no evidence of a conspiracy. We have furnished Jack Nelson, Chief of Washington Bureau of the "Los Angeles Times" answers to specific questions relating to the case, particularly with respect to alleged possible involvement of certain Watergate figures, namely, Gordon Liddy, Charles Colson and E. Howard Hunt, and circumstances surrounding the search and sealing off of Bremer's Milwaukee apartment. It is possible Mr. Rather may also pursue this avenue of inquiry.

ACTION: For information. Detailed write-ups attached covering these aspects.